

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

VERTICAL COMPUTER SYSTEMS,
INC.,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

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CIVIL ACTION NO. 2:07-CV-144 (DF-CE)

**DECLARATION OF BRIAN EUTERMOSER IN SUPPORT OF
MICROSOFT'S CLAIM CONSTRUCTION BRIEF**

I, Brian Eutermoser, under penalty of perjury, declare as follows:

1. I am an associate with the law firm of Weil, Gotshal & Manges, LLP, counsel for Defendant Microsoft Corporation in this matter. I am an active, licensed member of the State Bar of New York. I submit this declaration based on personal knowledge.

2. Exhibit 1 is a true and correct copy of the January 28, 2003 Amendment and Response submitted during prosecution of U.S. Patent No. 6,826,744 ("the '744 patent").

3. Exhibit 2 is a true and correct copy of the October 22, 2003 Response submitted during prosecution of the '744 patent.

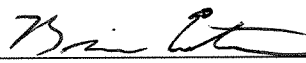
4. Exhibit 3 is a true and correct copy of the April 30, 2004 Response submitted during prosecution of the '744 patent.

5. Exhibit 4 is a true and correct copy of excerpts from the Adhesive Software web site, published on February 3, 1998 (as downloaded from Internet Archive (www.archive.org)).

6. Exhibit 5 is a true and correct copy of *Small Adhesive Carries Big Stick*, AUSTIN BUS. JOURNAL (Jan. 9, 1998), <http://austin.bizjournals.com/austin/stories/1998/01/12/story2.html>.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed: June 6, 2008



Brian Eutermoser
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